

# THE FRAMEWORK FOR US- CANADA DEFENSE AND SECURITY COOPERATION

BY

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**THE FRAMEWORK FOR US-CANADA DEFENSE  
AND SECURITY COOPERATION**

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## **ABSTRACT**

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This project explores the continental defense and security cooperative framework established between Canada and the United States. The project begins by examining the overall nature of US-Canada relations to establish the parameters of how the various policy issue areas are managed. Second, it assesses the defense issue area which is unique in some ways yet works within the overall framework. Third, it analyzes the homeland security relationship which poses unique challenges in terms of complexity, scope and politicization. Finally, the project outlines some options that may help solidify effective consultation and coordination. In the process, several truths about the US-Canada relationship become evident. First, in terms of homeland security, a strategic bargain has already been struck between the two countries which can only help promote North American security. Second, in response to those who believe the US is neglectful of Canada, this project shows there are US government structures and officials whose primary mission is to manage the relationship with Canada. Finally, the relationship has proven strong and resilient, especially since 9/11 which presented unprecedented challenges.





## THE FRAMEWORK FOR US-CANADA DEFENSE AND SECURITY COOPERATION

**It is Canada's privilege to be condemned to share  
a continent with the United States of America...  
Robert Wolfe (2003, p. 4)**

The US- Canada security relationship is difficult to gauge for those not directly involved in its day to day management. The headlines over the past five years on both sides of the border give a mixed picture at best. On one hand, Canada decided to not send combat troops in support of US efforts in Iraq; Canada waffled then decided not to participate in the ballistic missile defense; the US is accused of creating Northern Command without fully consulting Canada; soon after 9/11 US officials incorrectly stated some of the terrorists came via Canada; and the Arar case has caused friction centered around how both nations handle terrorist suspects. On the other hand, Canada and the US signed the Smart Border Accord in December 2001, Canadian Forces (CF) are fighting next to US forces in Afghanistan; the Bi-National Planning Group (BPG) was established to enhance military cooperation; and the NORAD Agreement was renewed in perpetuity.

The truth is that when it comes to security and defense cooperation, the US and Canada have arguably the closest bilateral relationship in the world. What is unique about the relationship is its density, diversity and resilience when faced with well-publicized, politicized disagreements and misunderstandings.

US-Canada relations overall are so dense and diverse that a unique model of cooperation has evolved characterized by unparalleled decentralization and informality. No one department, to include the US Department of State or Canada's Department of Foreign Affairs and International Trade (DFAIT), has the capacity to be involved in

every facet of cooperation and coordination, therefore, each issue area—trade, environment, defense, customs, etc—is handled differently, with different players and different mechanisms.

Canadian public policy analysts and academics spend an extraordinary amount of time and energy attempting to understand these dynamics of US-Canada relations with an eye towards advancing Canadian interests. Canadian policies on issues that affect the US are also abundant; available material covers the full spectrum of issues, analyzing them from every angle. Considering the long shared border and the US position as the world's superpower, it is understandable why there is a pervasive fixation on the US when studying Canadian policy.

Looking at the other side of the spectrum, it is also understandable that similar material written by US academics and policy analysts is limited. The global activities of the US provide more controversial and interesting fodder for policymakers, think tanks and academics. Most available US material on US-Canada relations falls into two categories. First, political theorists, such as Robert Keohane and Joseph Nye (1974, 1989) have used US-Canada relations as a case study of the effects of transgovernmental and transnational networks on international relations. This early look at political network theory would later become a cornerstone for studying the effects of globalization. Second, there is a material discussing major policy issues such as North American integration, continental defense or security cooperation, offering opinions as to which direction would be best for both countries. What is often lacking is a detailed US assessment on the dynamics of the US-Canada relationship and how the various issue areas that make up the US-Canada relations are and should be managed to the benefit of

US interests. This is not to imply that the US relationship with Canada is a zero- sum game; in the end, both nations benefit from a mutual understanding of the playing field as well as the rules of the game.

This paper seeks to help close the gap by focusing on two cooperative endeavors forged in crisis, defense and security. Canadians who follow the US-Canada relationship will see many familiar concepts; therefore, the primary intent is to provide a better understanding to Americans as well as to hopefully promote further scholarship.

The paper begins by examining the overall nature of US-Canada relations to establish the parameters of how the various policy issue areas are managed. Second, it assesses the defense issue area which is unique in some ways yet works within the overall framework. Third, it analyzes the homeland security relationship which poses unique challenges in terms of complexity, scope and politicization. Finally, the paper outlines some options that may help solidify effective consultation and coordination.

The focus is on what is called the “home game,” defending North America. For many years, the terms defense and security could be used almost interchangeably, however, when it comes to the “home game, it is necessary to differentiate between the two. This paper will use US definitions of homeland defense and homeland security as agreed upon by the BPG:

The BPG is defining Homeland Defense as protection of Canadian or United States sovereignty, territory, domestic population, and critical infrastructure against external threats and aggression or other threats as directed by the President and/or Prime Minister. Homeland Security is defined as using a concerted national effort to prevent attacks within the United States and/or Canada, reduce vulnerability to terrorism and minimize the damage and recover from attacks that could occur. (BPG 2006, p. 2)

In the United States, the Department of Homeland Security (DHS) is the lead Federal agency for homeland security, while the Department of Defense (DoD) is responsible for homeland defense. In Canada, Public Safety and Emergency Preparedness Canada (PSEPC) is the lead for homeland security and the Department of National Defence (DND) is responsible for homeland defense.

Getting the homeland defense and homeland security relationships right is important. The most obvious reason is to help prevent terrorist attacks in North America. This is problematic to say the least considering the Canada-US share the longest common international boundary in the world, stretching 5,061 km (3,145 miles) on land and 3,832 km (2,381 miles) over water. The air and maritime approaches to North America also present a daunting challenge. Security also deeply affects trade. A legitimate hope is that the security trump card is played only sparingly. Finally, how US and Canada cooperation manifests itself affects US overall military strategy and force structuring as Canada plays an important role in both the home and away games.

### **Nature of the US-Canada Relationship**

The US-Canada relationship is an intricate tapestry with interwoven cultural, social, economic, security and environmental elements. On the Canadian side, the complexity is amplified by a lack of consensus on what constitutes a positive facet of the relationship and what constitutes a negative one, necessitating an analysis of every issue from multiple angles with sometimes conflicting results. On the US side, matters are at times oversimplified by assuming common goals and views. Misunderstandings between the two nations are frequent and the amiability of relations ebbs and flows dependent upon the prevailing views, preoccupying problems and leaders at the time. To some

degree, this is the nature of all international relationships. However, the case of US-Canada is distinctive in that, despite the ups and downs, the prevailing trend since World War II has been a consistent and dramatic increase in cooperation across the full spectrum of policy areas.

This seemingly contradictory situation is due, in part, to certain realities which compel cooperation while simultaneously eliciting concerns about national identity on the part of the “smaller” ally, Canada. The first such reality is a common heritage. Both nations are the offspring of the same Empire and share the same continent. Both are democratic, capitalist nations which brings with it shared values, despite differences in respective political systems. Experts like to point out where values and culture diverge, and those do exist. It is professed that Canadians have a unique identity, or, as it is common to hear, that Canadians are “not American.” Differences are amplified as a means to protect a national identity separate from the US. However, relative to the cultural and political differences evident across the globe, these divergences appear to have a more rhetorical than determinative impact on US-Canada relations. Misunderstandings and disagreements do take on an almost personal air highlighted by expressed feelings of neglect, betrayal, or being taken for granted. On the other hand, shared culture gives US-Canada a distinct advantage when dealing with each other. While they may not always agree or totally understand the other’s perspective, common ground is expansive and relatively easy to find.

In the first 100 years of American history, this shared heritage was a point of friction in that it seemed natural to some Americans that it was only a matter of time before Canada would be annexed into the US. However, by the late nineteenth century,

annexation ambitions were replaced by desires to secure access to natural resources and investments and ensure Canada did not become a gap in hemispheric security (Thompson & Randall 1994, p. 300). The US no longer seriously considered the use of force as a means to achieve its objectives in regards to Canada, so it focused on other instruments. On the other hand, since the War of 1812, Canada has not posed a major, direct military threat to the US. This situation is unique; consider empires throughout history or compare it to nations today bordering on other major powers like China or Russia. Despite this, there are elements of Canadian society who continue warnings about American military aggression based on calls for National Guard to help secure the borders or the stationing of US troops at Fort Drum, New York 30 miles from the Canadian border (Rudmin 1993). Overall, however, peaceful co-existence has provided the US-Canada relationship fertile ground for cooperation to flourish.

With no military threat to worry about, geography was allowed to work its magic on expanding the scope of US-Canada relations. The US and Canada share the longest border of any two nations in the world and along with it comes a wide-range of bilateral issues to address. Trade, defense, environmental protection, energy and border security are national-level issues that tend to make the headlines. However, the US-Canada bilateral relationship is also defined by more regional issues such as water policy, fishing, animal migration and waste disposal, all of which can be contentious in their own right. One would be hard-pressed to overstate the diversity and breadth of issues affecting US-Canada relations.

To Canadians, this diversity and breadth is a mixed blessing considering the economic and military asymmetries between the two countries. While Canada exceeds

the US in terms of land mass, the population of the US is almost nine times larger than Canada's, 298 million compared to 33 million. The United States Central Intelligence Agency Factbook 2007 lists the US Gross Domestic Product (GDP) as over ten times larger than Canada's, \$12.98 trillion to \$1.165 trillion (2006 est.). In terms of military power, the US spends approximately 4% of its GDP on defense (2005 est.) compared to Canada's 1.1% in defense (2003 est.). The US military consists of 1.4 million active-duty personnel compared to under 100,000 for Canada if you count active-duty and reserve forces.

Interdependence is a common term used to describe the US-Canada relationship; however this term while implying mutual dependence does not account for its lopsidedness. Walter Russell Mead (2004, p. 48), senior fellow at the Council for Foreign Relations, provides a better avenue to conceptualize the effect of asymmetry on US-Canada relations with his concept of "sticky power." As a means of differentiating between the two elements of hard power-economic and military force, Mead defines "sticky power" as comprising "a set of economic institutions and policies that attracts others towards US influence and then traps them in it." The American market lured Canada towards economic integration, resulting in a dramatic increase in trade volume between the two countries and along with it Canada's dependence upon the US. Economic integration was solidified through a series of international and bilateral trade agreements culminating in the North American Free Trade Agreement (NAFTA) of 1994. NAFTA not only eliminated tariff barriers, but also reoriented Canada's industrial structure towards the United States (Congressional Research Service 2006, p. 24). In 2004, Canada's trade with the US accounted for approximately 52 percent of Canada's

GDP--80 percent of exports and 67 percent of imports. US trade with Canada, on the other hand, represented 23 percent of US exports and 17 percent of US imports.

Therefore, while bilateral trade is important to both sides, it has quickly become a vital national interest for Canada.

Canada was not lured into economic integration without apprehension. The 1989 Canada-US Free Trade Agreement and NAFTA were hotly-debated issues, a trend which continues today with initiatives towards further integration like a customs union or common market. Economic arguments aside, resistance to America's "sticky power" is found in those who feel it threatens Canada's sovereignty.

In fact, all policies addressing cooperation with the US must, at one time or another, go through the prism of sovereignty as part of the evaluation process. Canadians have been historically concerned about a threat to their core values, regional identity, national unity and culture stemming from close ties to the US. Canada's political arena has hosted a running debate between "nationalists" and "continentalists;" the former who believe that closer border and economic ties threaten sovereignty as well as the social and moral qualities that makes one Canadian and the latter who support close ties with the US as the best chance of maintaining prosperity (Cody 2003). Both profess to protecting sovereignty, the nationalists directly by shying away from too close ties to the US while continentalists appear to take a more indirect approach by preserving a Canadian role in the decision-making process on continental issues. The Government of Canada's Policy Research Initiative (PRI) gives the dilemma mythological status stating,

like Ulysses, who had to navigate between Scylla and Charybdis on the return from Troy to Ithacus, Canada has to steer certain public policies between twin perils, pursuing a balance between the risk of being engulfed by its giant neighbour, as a possible result of ill-considered integration,



and the risk of losing important economic benefits if it steers away from North American integration (Voyer 2004, p. 1).

Implied in this dilemma is the fact Canadian policymakers must take into account US reaction. As the lower rung on the asymmetric ladder, Canada is aware US decisions can have a profound impact on Canadian interests. Therefore, at times budget and policy priorities may reflect US concerns more than the concerns of Canadian society. The US is not under the same constraints when dealing with Canada. This does not mean that the US is not concerned about sovereignty; it is. However, the US does not perceive Canada as a threat to its sovereignty. This gives the US the flexibility to judge issues on how they directly affect its security and prosperity. In addition, the US, as an economic superpower, does not have the same fiscal constraints should it decide that a course of action is necessary. Finally, if there is disagreement between the two countries, the US has more freedom of maneuver in the sense it has the resources to take unilateral action should it deem necessary. Cooperation is a preference, not a necessity.

John McDougall (2006, p.26) writes that growing interdependence theoretically leads to political integration characterized by institutionalization and centralized decision-making as seen in the European Union (EU). He goes on to argue that the US-Canada relationship offers a counterweight to this argument as political integration in the North American context is characterized by less visible and structured process of policy harmonization and coordination. Policy harmonization refers to each country setting policies aligned with and acceptable to the other but not necessarily identical, as in the form of a common laws or regulations. This process appears to help Canada address concerns about sovereignty, while furthering a reasonable solution in the eyes of the US. Harmonization is also fluid; degrees can change administration to administration,

providing both nations with some flexibility. This helps ensure cooperation continues in times of “strain” or “coolness” in the relationship by applying a “bend not break” principle.

The question now becomes: how are policies harmonized across such a wide range of issues? The answer lies in networks. Keohane and Nye (1974, p. 596) outline two types of networks: 1) transgovernmental, defined as direct interactions between agencies (governmental subunits) of different governments where those agencies act relatively autonomously from central government control and 2) transnational which refers to interactions across the border in which at least one actor is nongovernmental. The debate over these terms has focused on the subjective nature of the phrase “relatively autonomously;” a debate that has intensified as theories about the end of the nation-state and effects of globalization have proliferated. This paper will look at this issue of central control from a slightly different angle later; however, for now the focus will be on what appears to be a consensus among scholars, that networks do play a major role in the US-Canada bilateral policy process.

Anne-Marie Slaughter (1997) has identified transgovernmental networks as the major policy players in what she calls the emerging “new world order.” In her view, the state is “disaggregating into its separate, functionally distinct parts. These parts-courts, regulatory agencies, executives and even legislatures- are networking with their counterparts abroad, creating a dense web of relations that constitutes a new, transgovernmental order.”(Slaughter 1997, p. 184) Advancements in information technology have accelerated the formation of these networks, extended their reach and increased their efficiency and effectiveness.

In the case of US-Canada relations, this “new world order” is not so new. Higginbotham and Heynen (2005, p. 127) write that “Canada-US relations have long been driven by a complex set of systems and coalitions that crisscross boundaries. Accelerating interdependence among advanced industrial societies has created an intricate spider’s web of linkages touching all spheres.” They go on to identify some key explanatory factors: 1) international policy has become more decentralized within and between governments widening the circle of participants, making foreign policy more complex and less susceptible to central coordination; 2) technical expertise has become more critical in the conduct of foreign relations, which cannot reside in one department; and 3) specialists dealing with detailed international issues are scattered across scores of departments and agencies. Bringing to mind President George H. Bush’s “thousand points of light”, Allan Gotlieb (1991, p. 191), former Canadian Ambassador to the US, concludes that in the US-Canada relationship “at any given time, there are thousands of points of functional contact at all levels of government operations at the federal level.”

Geography and political realities initially fueled these networks. Proximity has facilitated economic and social transactions between the US and Canada throughout their respective histories, especially in the border areas. Trade routes between Canada and the US run along a north-south axis; people from New Brunswick and Maine have more in common with each other than their countrymen in Alberta and Montana respectively. Proximity also makes it easy for government officials, nongovernmental organizations, and academics to communicate and meet. National politics also played a role in light of Canada’s attachment to Great Britain. For the US, it was more effective and efficient to

discuss some regional issues of mutual interest directly with Canada than trying to deal with less affected officials in distant London.

The proliferation of cross-border organizations is one example of where policy coordination and, in some cases, coalition-building has been formalized outside the direct control of central government. PRI Canada (2005) recently conducted a government study of cross-border regions and concluded that the strongest and most varied international linkages are those between neighboring provinces and states on both sides of the Canada-US border. The study found many of these linkages, shaped by history, geography and demography have been formalized in cross-border organizations that deal with issues of mutual interest such as trade, the environment, energy, infrastructure and security. These cross-border organizations are part of the decentralized nature of the US-Canada relationship, focusing on local and regional issues that the federal government may not have the resources or desire to address. They also build cross-border coalitions, lobbying their respective governments for political support on key policy and funding issues.

There are variety of cross-border organizations differentiated by membership (public and/or private) and focus. For example, the Pacific NorthWest Economic Region (PNWER) is a statutory, public/private partnership composed of legislators, governments, and businesses in Alaska, Idaho, Montana, Oregon, Washington, British Columbia, Alberta, and the Yukon Territory (PRI 2005, p.16). It has an elaborate structure with an executive committee, a delegate council and a private sector council, working groups, and a secretariat (Abgrall 2004, p. 52). PNWER (n.d.) states its mission is to foster sustainable economic development throughout the entire region. The Conference of New

England Governors and Eastern Canadian Premiers (NEG-ECP) has only public membership with five premiers of Canadian provinces and six US state governors and focuses on trade, environment and energy issues (Council of Atlantic Premiers, n.d.). States and provinces also sign memorandum of understandings, Alberta-Montana (creating the Montana-Alberta Bilateral Advisory Council (MABAC)), Alberta-Idaho, New York-Ontario and Michigan-Ontario to name a few. Finally, cities also create cross-border organizations such as the International Association of Great Lakes and St. Lawrence Mayors, the Cascadia Mayors Council as well as bilateral agreements between Buffalo and Niagara, Toronto and Chicago, Toronto and Indianapolis and Vancouver and Seattle (PRI 2005, p. 17).

Existing transgovernmental and transnational networks reflect the density and diversity of the relationship. There are too many policy issues and too many transactions to be centrally-controlled, producing the need for these networks of sub-units to be heavily involved in the policy process. Also, many issues are technical in nature, requiring the expertise of technocrats within agencies; others are more regionally-focused. The Pacific Salmon Treaty of 1985, the Boundary Waters Treaty of 1909, and the US-Canada income tax treaty of 1980 illustrate the importance of technical expertise in policy formulation and implementation. Finally, the majority of issues are non-contentious minimizing the need for senior leader involvement or dispute settlement.

The technical, decentralized nature of the policy process may also account for what is considered a stabilizing feature of US-Canada relations: lack of policy linkages when negotiating. Kal Holsti and Allen Levy (1974) argue these “linkages are seldom made between different issue areas or policy sectors...there is seldom an effort to

determine the outcome in one problem area by manipulating issues in another area.” (p. 884). One explanation could be that technocrats doing the policy leg-work have a vested interest in finding a solution, feel a common bond with their counterparts, and are not in a position to threaten linkages since they have little expertise or influence outside their specific area. Whatever the reason, the US and Canada have successfully avoided linking policies which, while tempting at times, can be counterproductive by increasing the risk retribution and complicating negotiations, thereby inhibiting solutions.

Keohane (1971) believes these networks even the playing field to a degree, giving smaller allies a means to influence bigger allies. Canadian Prime Minister Paul Martin (2003, cited in Higginbotham and Heynen 2005, p. 123) appeared to support this contention, stating “we must engage Americans face-to-face at important levels of our respective political systems- prime minister and president; premiers and governors; members of parliament and members of Congress; mayors, business and union leaders and civil society.” However, exploiting these networks is not a monopoly of the small; big allies can and should take advantage. As Timothy McKeown (n.d., p. 10) writes, “large, wealthy states with effective command-and-control mechanisms governing their government agencies are far better positioned to take advantage of transgovernmental interactions.”

Some type of control or management is important because transgovernmental and transnational activity is a double-edged sword. On the positive side, this activity brings can bring stability and continuity. Speaking of US-Canada, Higginbotham and Heynen (2005, p. 29) state,

During political down cycles in the relationship, co-operation on specific and often technical issues between working-level officials typically provides vital

ballast in maintaining the effectiveness of the relationship and offers avenues to explore new collaborative ventures in a low-key way. Since very few issues, and often the most contentious ones, reach the pinnacle of the relationship, the bulk of cross-border contact takes place by public servants through cooperative channels.

Keohane and Nye (1989, p.215) use the example of the energy crisis of 1974 where transgovernmental networks managed politicization by being involved in decisions “too frequent and too controversial if carried out in the full glare of publicity that accompanies high-level diplomacy.”

On the other hand, governments must be wary of these networks working at cross-purposes to official policy. As stated above, Keohane and Nye’s definition of transgovernmental networks implies a degree of latitude which can lead to several problems. First, officials can “go native,” meaning their affinity and collegiality with their counterparts affects their attitudes and recommendations to a degree that is inconsistent with national interests. Second, coalitions can form in which “to improve their chances of policy success, governmental subunits may attempt to bring actors from other governments into their own decision processes as allies.”(Keohane & Nye 1974, p. 602-3). Cross-border organizations can act as powerful interest groups, influencing policy decisions that may not be in the interest of the nation as a whole. The challenge, therefore, is to orchestrate these networks so that they work efficiently towards desired ends.

Outlining the framework that directs US-Canada relations is like trying to describe what controls the Internet. That does not mean there are no guidelines or direction. Robert Wolfe (2003, p. 14), in response to those who push for a “grand bargain” between the US and Canada based on strong EU-like institutions, maintains that

the US and Canada already have an “informal, unwritten constitution and its associated conventions and practices” which can be found in agreements and the institutions already in place.

Over 250 treaties, agreements, understandings and other arrangements covering approximately 60 issue areas govern the US-Canada relationship. Most formal treaties can be found governing boundaries, otherwise the more informal agreements and understandings are the diplomatic convention of choice. These arrangements provide the guidelines for actors within the transgovernmental and transnational networks.

Andrew Hurrell (2005, p. 188) thinks institutions are created to manage “the ever more complex dilemmas of collective action...Institutions are viewed as purposely generated solutions to different kinds of collective action problems created by increasing density and depth of interaction and interdependence.” However, while European nations have established a number of governing, decision-making bodies to include regulatory agencies and directorates, US and Canada have established nothing that far reaching (McDougall 2006, p. 190). Allan Gottlieb (2003, p. 20-21) writes that throughout the post-WWII era, there have been various attempts to set up mechanisms or procedures to address disputes in the form of joint cabinet committees, consultative mechanisms and commissions, few have gained any traction. The institutions created by the US and Canada to help manage the relationship are not joint decision-making bodies, but are what can be labeled “soft institutions or as Joseph Jockel (1985, p. 689) describes them, “semi-institutionalized forums for consultation and monitoring progress.” The principle of consultation has been a mantra of the relationship since the 1965 Merchant-Heeney report and is a prerequisite for effective policy harmonization. Therefore, these



institutions strike a balance, providing a forum in which to discuss, monitor and coordinate without appearing to be politically integrative.

In this decentralized, loosely-structured environment, each issue area is managed based on its unique circumstances. As Robert Wolfe (2003, p. 14) states, “order comes from people choosing their own path through the crowded spaces of North American collective life.” With this in mind, the paper will now look at the US-Canada defense relationship and explore how the US defense establishment is structured to deal with it.

### **Defense**

Considering their geographic proximity, shared culture and the fact US and Canada have not posed a significant military threat to each other for over 130 years, close defense cooperation seems inevitable. However, it took a threat of invasion to jump start the process towards close defense cooperation. President Franklin Roosevelt opened the bidding in August 1938 during a speech in Kingston, Ontario in which he assured Canada the US would not “stand idly by” should Canadian soil be threatened. Canada’s Prime Minister Mackenzie King responded several weeks later, saying Canada was obliged to protect itself to the best of its abilities but also to ensure “enemy forces should not be able to pursue their way, either by land, sea or air, to the United States across Canadian territory.” The focus was continental defense. The US understood it would be in a precarious position if Canada should fall into enemy hands and Canada understood it did not have the prerequisite resources to protect its vast domain if threatened by an undeterred Axis. (Keenleyside 1960-1961, p. 52).

These statements would illustrate how the US and Canada approach continental defense cooperation into the 21<sup>st</sup> century. The US approach has been relatively

straightforward in that Canadian territory is considered an important element of defense-in-depth. Though not directly stated, one can infer from Roosevelt's statement that, from a US point of view, Canada was and is a potential enemy avenue of approach. The threat of an Axis invasion across Canadian territory was replaced by the threat of Soviet bombers flying over Canadian airspace. As the Soviet bomber threat diminished and the missile threat increased, Canadian territory lost some of its strategic importance. However, after 9/11, Canadian territory resumed its place as a potential avenue of approach for terrorists exploiting loose immigration laws and long undefended borders. Close cooperation and burden sharing is the most efficient and effective way of defending this approach. However, if there is an unacceptable risk Canada is not capable of addressing, the US will take the necessary measures to do so. The mission of US Northern Command (NORTHCOM) illustrates the US approach. NORTHCOM's area of responsibility includes Canada and surrounding water out to 500 nautical miles. NORTHCOM has the mission to conduct operations to deter, prevent, and defeat threats and aggression aimed at the United States, its territories and interests within the assigned AOR.(United States Northern Command, n.d.). NORTHCOM is also responsible for security cooperation with Canada but cooperation is not a mission essential task.

King's statement defines the underlying dilemma of Canadian defense policy: Canada must not only protect itself to a degree it finds acceptable but also must assure the US that it is not a liability to US security interests thereby protecting itself from US interference, commonly referred to as "defense against help." From a Canadian perspective, the warning signs appeared early in the relationship. The stationing of US troops on Canadian soil during the WWII caused the Canadian High Commissioner in

London (cited in Lagasse 2003, p. 17) to lament, “Canada has been too preoccupied with her own war effort to cope with the Americans who unfortunately under the cover of the needs of war are acting in the Northwest as if they owned the country.” David Bercuson (2003, p. 127) describes Canada’s post-war policy as “defending its own sovereignty against possible US incursions by ensuring that it be seen by Washington to be doing as much as time and Canada’s financial resources would allow in regard to defending the continent.”

Joint activities have automatically been scrutinized through the prism of sovereignty. These activities are evaluated not only by the degree they help defend Canada but also by how much they help restrain the US. Canadian diplomat John Holmes (cited in Lagasse 2003, p. 16) articulates one side of the argument stating NORAD can be viewed as “a means of preserving a Canadian role and an appropriate degree of sovereignty in a situation in which, if there were no rules, the Americans would simply take over defence of the continent.” Canadian Retired Lieutenant-General George MacDonald (2005, p. 6), a former NORAD Deputy Commander, uses the same concepts in his analysis of Canada’s participation in ballistic missile defense writing “Canada has purportedly given up its sovereign responsibility to defend itself against ballistic missiles, while substantively, it is argued that Canada will now be dependent upon the US to provide that defence at US discretion and on US terms.” Integrated activities such as bi-national commands and joint operations have also raised concerns about Canada’s ability to use its military as an independent instrument of national power. Canada’s Standing Senate Committee on National Security and Defence (2002, Introduction) is sensitive to these concerns stating “any suggestion that military bonds be strengthened invariably

raises questions as to whether Canada's political integrity might somehow be weakened because of this.”

While making for some interesting debates, Canada has not shied away from responsibility or cooperation in terms of defending the continent. Even after the Cold War, with no threats to North America on the horizon, Canada’s 1994 Defence White Paper emphasized continued close defense cooperation with the US maintaining that the foundation must not be eroded should there be a need to expand in the future.(Sokolsky and Detomasi 1994, p. 537). As Philippe Lagasse (2003, p. 15) rightfully points out, “Canada’s approach to continental defence has been remarkably consistent since 1938.”

The US and Canada have been able to harmonize their policies as they relate to continental defense. Since World War II, both nations have agreed in principle to make the defense of North America a cooperative endeavor. The political decision to cooperate is the first step, but then the militaries need to ensure they can operate together effectively. In other words, they need to “harmonize” many aspects of military operations to include plans, doctrine, communications and training. The process is continuous as technological advances are incorporated or doctrine is revised. In the military, this “harmonization” is better known as interoperability. As stated in the Bi-National Planning Group’s Final Report in March 2006, “there is a critical need for interoperability among North American defense and security partners.”(Bi-National Planning Group 2006, p. 22).

US Joint Publication 1-02 defines interoperability as “the ability of systems, units, or forces to provide services to and accept services from other systems, units, or forces and to use the services so exchanged to enable them to operate effectively together.”

(cited in United States Chairman of the Joint Chiefs of Staff 2000, p. 20). This is a broader definition than what has developed in the technology industry which puts a premium on two devices being able to “talk” to each other. Joint Vision 2020, a document produced by the US Department of Defense, states that while technical interoperability is essential, “it is not sufficient to ensure effective operations. There must be a suitable focus on procedural and organizational elements, and decision makers at all levels must understand each other’s capabilities and constraints.”(United States Chairman of the Joint Chiefs of Staff 2000, p. 21).

In terms of continental defense, air and naval cooperation have been the centerpieces for interoperability. In 1958, the North American Air Defense Agreement between the US and Canada formalized air defense cooperation and established the bi-national North American Air (now Aerospace) Command (NORAD). The agreement has been renewed nine times, the last in 2006 for perpetuity. The bi-national command with now 50 years of joint experience continues to be charged with aerospace warning and aerospace control and has become a symbol for US-Canada defense cooperation.

During the early Cold War, the US Navy (USN) and the Canadian Navy worked closely on the maritime defense of North America as well as posturing themselves to secure the transatlantic bridge in case the Soviet Navy threatened to cut off the sea lines of communication. (Sokolsky 2002, p. 2) After the Cold War, despite the erosion of the Soviet Navy, USN- Canadian Navy cooperation continued, albeit on a more global scale, to the point that Joel Sokolsky (2002, p. 13) concluded, “relative to other branches of the Canadian Forces (CF), the Navy has gone furthest in seeking interoperability with the armed forces of the United States.”

Less visible is the intricate web of transgovernmental and transnational activity evident across the whole military enterprise, spawned by the drive for interoperability. Joint Vision 2020 considers “training and education, experience and exercises, cooperative planning, and skilled liaison at all levels” as keys to overcome barriers such as organizational culture and differing priorities (United States Chairman of the Joint Chiefs of Staff 2000, p. 21). Military education exchanges between US and Canada, made considerably easier by shared language, take place at all levels of education and training--between service academies, staff colleges, training centers and senior service schools—and across a wide range of activities—joint conferences, visits, seminar attendance and class enrollment. The joint training environment is similarly diverse as Canada and the US routinely participate in an array of air, sea, land and joint training exercises which help ensure interoperability and operational effectiveness (Department of National Defence-Canada 2006) . A myriad of joint fora exist to facilitate coordination and information-sharing. For example, while the US and Canadian regular army staffs meet annually, an army reserve officers’ conference is also held to promote a better understanding of each nation’s army reserve capabilities and to advance individual and collective training initiatives (Jeffrey 2003). Finally, US-Canada joint planning and coordination efforts can be found in every facet of military operations, resulting in a myriad of liaison elements above and beyond respective defense attaché offices. Besides the dozens of liaison officers exchanged by NORTHCOM and Canada Command, Canada also has liaison teams at the Pentagon and Central Command (CENTCOM). Of even greater prominence is the fact that, since 1998, a Canadian army general officer has served as the Deputy Commanding General, US Army III Corps at Fort Hood, Texas.

The current Chief of Defence Staff (CDS), General Rick Hillier, was the first Canadian to hold that position. (Office of the Chief of Defence Staff, n.d.). All these activities not only reflect the decentralized nature of US-Canada defense cooperation, they also stimulate continued transnational and transgovernmental activity by establishing networks and fostering new contacts that can be used throughout the careers of the various actors.

Deliberate bilateral planning is a critical element of interoperability. The Canada-United States Basic Defense Document (2006, p. 3) states that both militaries must be able to “act, in a timely and coordinated fashion, and in concert with our interagency partners.” In addition to NORAD’s operations plans, multiple joint defense plans related to continental defense have been developed over the years, including the *Land Operations Plan* (developed by US Forces Command and Canada Land Forces Command), the *Maritime West Operations Plan*, (developed by US Atlantic Command and Canada’s Maritime Atlantic Command), and the *Maritime East Operations Plan* (developed by US Pacific Command and Canada’s Maritime Pacific Command) (Bi-National Planning Group 2006, p. B-2). In December 2002, the *Canadian-U.S. Agreement for Enhanced Military Cooperation* created the Bi-National Planning Group (BPG), headed by a Canadian three-star general with a US deputy (DCDR of NORAD and NORTHCOM respectively), “to determine the optimal defense arrangements in order to prevent or mitigate threats or attacks, as well as respond to natural disasters and/or other major emergencies in Canada and the United States.”(cited in Inge & Findley 2006, p. 25). One of the major tasks for the BPG was to review existing Canada-US defense plans. The BPG found that most of the plans were outdated which provided

the catalyst for a new Basic Defense Document (BDD) which was developed by the bi-national Military Cooperation Committee (MCC) and co-signed by the Chairman of the Joint Chiefs of Staff and CDS in 2006. The BDD directed NORTHCOM and CANADA COM to develop and regularly update a Canada-US Combined Defense Plan (CDP) and a Canada-US Civil Assistance Plan (CAP). NORAD was given responsibility for the NORAD Concept Plan. The BPG (2006, p. 15) also recommended combining the CDP and CAP into a comprehensive Combined Military Interoperability Plan (CMIP) designed to “span the spectrum of missions from civil support to continental defense and security.”

The decision to embark on a cooperative endeavor in defense was a political one. However, once given the green light, it was not a difficult process to encourage cooperation between the two culturally similar militaries, a situation that appears to hold true today. Professional identification has sinewed the strands of the defense relationship formed by the push towards harmonization. Military personnel from different nations tend to feel a professional bond towards their counterparts, a bond strengthened when military allies that fight side by side and are considered “brothers in arms.” Even as political winds shift, professionalism provides ballast to military cooperation. Addressing the Standing Committee on National Defence & Veterans Affairs, Canadian Lieutenant General MK Jeffrey (2003) admirably expresses the role of professionalism:

I think it is important though for me to say that our dealings with other militaries and I would highlight our dealings specifically with the United States military, we are dealing with professionals. Military leaders are responsible in a democratic society of following the direction of the democratically elected governments. That is the way we are trained and that is the way we think and it is no different here than it is in the United States. So when I’m dealing with my U.S. counterpart or senior U.S. military leaders, notwithstanding whatever political frictions there may be between the nations,



we are dealing with issues in a direct professional and largely friendly, collegial environment. There may be, as a result of political direction, limits on what we can do together or even say to each other, but we understand the rules of the game and it never in my experience becomes an issue of friction between professional leaders.

Professional identification has also encouraged transgovernmental activity between the US and Canadian militaries, by which coalitions can form pitting service against service or military against civilian.(Swanson 1974, p. 786-787). One early PJBD secretary (cited in Keenleyside 1960-1961, p. 55) noted that “divisions of opinion seldom occurred on strictly national grounds. More frequently the cleavage was along service lines...Or some or all of the service personnel from both sides might be found opposing views of the civilian members.” During the PJBD’s 218<sup>th</sup> session in September 2006, similar divisions of opinion along bureaucratic lines were evident indicating the dynamics of professional identification remain a factor (Glunz 2006).

Coalition-building raises two interrelated concerns. First, civil-military relations experts pay attention to the role of the military in the political process. The whole concept of civilian control of the military is based on the precept that militaries have a tendency to form their own views on national security which may be opposed to the political understandings at the time and have the resources to do something about it. A separate military agenda, lack of civilian control and excessive military influence in policy-making are all indicators that the military may be working at cross-purposes of government interests. In the case of US-Canada relations, if unchecked, the two militaries could conceivably drive the defense agenda and unduly influence policy decisions. Second, some argue that the nature of the US-Canada defense relationship puts Canada at a disadvantage because the tendency is for the smaller ally, more

dependent and integrated, to be heavily influenced by the bigger ally. Ann Crosby (1997), for example, uses NORAD as a case study and concludes that the transnational and transgovernmental nature of the US-Canada cooperative military relationship is one of three factors which are “largely responsible for introducing an element of ‘unanticipated militarism’ to the Canadian political decision-making environment.”(p. 37).

Roger Swanson (1974, p. 784-785) has made the observation that there is no comprehensive, formal bilateral defense agreement between the US and Canada “defining reciprocal strategic expectations and obligations.” The BPG (2006, p. i) echoed this observation and recommended a Canada-US “Comprehensive Defense and Security Agreement” to provide an overarching vision for continental defense and security organizations. The BPG is looking for a bilateral document signed by each government to “provide direction and authority for enhanced coordination and cooperation among our foreign policy, defense and security organizations.” While an appealing idea, there is little evidence that a lack of a comprehensive agreement has obstructed close defense cooperation. As in other policy areas, guidance and direction to the defense actors can be found in a variety of documents, which Swanson (1974, p. 785) believed permits “flexible reactions to both international and national vagaries.”

The BDD provides strategic-level guidance, outlining shared military objectives and strategic and operational-level coordination mechanisms. Of note, it also outlines command responsibilities for NORTHCOM, CANADA COM and NORAD, to include their respective domestic roles. Having another nation “sign-off” on a combatant command’s responsibilities is symbolic of the how dedicated both militaries are to

maintaining a close defense relationship. To supplement the BDD, there are 67 bilateral, diplomatic agreements in force between US and Canada categorized as defense (United States Department of State 2006) as well as hundreds of bilateral MOU's, arrangements and other protocols between various defense-related agencies covering every major aspect of cooperation.(Bi-National Planning Group 2006, Annex G). The number of agreements reflects the decentralized nature of the defense relationship and, as such, appears to function relatively well if one considers the breadth and depth of bilateral military activities. Even with a comprehensive agreement, these supplemental agreements would be required to guide the actors within specific areas of cooperation. The challenge is to devise a means to periodically review these agreements ensuring they are consistent and remain valid.

Several of the agreements include the establishment of an institution to provide a mechanism to help manage cooperation. Reflecting the overall model of cooperation, these institutions are primarily informal and consultative with equal representation rather than executive bodies designed to make binding decisions on specific issues or settle disputes. They do, however, provide a regular forum in which senior defense officials can discuss sometimes contentious defense-related issues openly, under the political radar. This fosters a common understanding of opposing views increasing the chances of finding an acceptable and suitable solution. Regular meetings between responsible officials also help guide the relationship as well as provide coherence and oversight. While issues overlap between institutions, each plays an important role in the overall defense policy process, providing mechanisms for and tying together operational-level, strategic-level, interagency and technical coordination.

The nature of these institutions makes them difficult to assess in terms of overall influence in shaping policy. It is virtually impossible to ascertain how regular meetings and informal contacts through established networks affects the various actors; evidence tends to be anecdotal and instinctive. On one hand, in many cases, these institutions do not have direct impact on defense policy in that formal recommendations are not translated into Presidential directives or bilateral treaties. On the other hand, congruent with the decentralized nature of US-Canada relations, it is a reasonable assumption that discussion and recommendations work their way through the policy process from the bottom up. As a former staff officer in the Pentagon, the author knows from experience that information garnered from pertinent meetings and established contacts is invaluable and influential when providing recommendations or developing initiatives for senior defense leaders. In turn, it is not uncommon to see these recommendations end up as policy directives or plans signed by the CJCS or Secretary of Defense.

The mainstay institution is the Permanent Joint Board of Defense (PJBD) which held its 218<sup>th</sup> session in September 2006. President Roosevelt and Prime Minister King issued the Ogdensburg Declaration in August 1940 which established the board to consider defense of the north half of the Western Hemisphere. The board consists of a US and a Canadian section, primarily military but sections also include other agencies as appropriate, with co-chairs appointed by the President and Prime Minister respectively. Currently, the board meets every six-months alternating between US and Canadian venues. The board has evolved over the years. Actively developing defense plans as in World War II and issuing formal recommendations to the President and Prime Minister have evolved to a more consultative and informal mechanism. Joseph Jockel (1985, p.

705) describes the PJBD as a “forum where, issue by issue, reports are heard about progress or lack thereof in just about every form of bilateral defence co-operation.” What is unique about the PJBD, however, is that includes members outside of the respective defense departments. For example, it has always included the respective foreign affairs departments, giving them visibility and a forum to provide input on continental defense cooperation issues.

There is a range of opinion as to the board’s importance, though it is generally thought to be a good forum for discussion but lacking any ability to significantly shape policy. There does appear to be a consensus, however, that the PJBD was an important policy and planning mechanism during the early years of World War II, 1940 to 1942, as well as during the early 1950’s, when the Soviet bomber threat required close air defense cooperation between the US and Canada (Conliffe 1989). Critics point to: 1) the discontinued practice of formal recommendations to the President and Prime Minister, 2) the fact that over time the handling of many bilateral defense issues migrated to other agencies and 3) the mundane nature of many issues which the board considers as indicators that it is no longer the focal point of bilateral defense cooperation. Supporters, the author being one, believe the nature of the board makes it a positive institution: 1) equal representation in the sections means the proceedings are not dominated by one side; 2) the fact it does not make decisions makes it less threatening to those focused on sovereignty issues or being too close to the US and provides senior leaders with room to maneuver as the issue develops; 3) it gathers the technical experts who can intelligently discuss issues in an open and candid environment; 4) it promotes and fosters transgovernmental networks which can be effective instruments of policy formulation

and implementation if managed properly; and 5) discussions can energize these networks to address and solve continental defense issues at lower government echelons, minimizing the potential for politicization.

It is interesting but not surprising to note that two periods which are considered high-level marks for the continental defense-oriented PJBD coincide with times that the US defense establishment was focused on the homeland. During the early stages of World War II, an Axis invasion of North America was a real possibility, especially given the prospects that Great Britain may fall. During the 1950s, the threat of Soviet bombers brought air defense into the spotlight, culminating in the 1958 NORAD treaty which institutionalized US-Canada air defense cooperation. During most of the Cold War, however, offense trumped defense in US military strategy, diminishing the focus on pure continental defense measures. As Joel Sokolsky (1991, p. 4) writes, “the key to the defense of North America and hence the Western alliance was the ability of the United States to deter attacks on its homeland by virtue of its offensive strategic nuclear forces.” During the 1990s, the US and Canada focused on external threats with the militaries “focused on the away game in the Balkans and other distant theaters.”(Inge & Findley, p. 23).

The terrorist attacks on September 11, 2001 brought homeland defense back into the spotlight. In conjunction, the PJBD evolved to help manage this new phase of US-Canada defense cooperation. Over the past five years, the board has dealt with issues that can hardly be characterized as mundane such as military support to civil authorities, the relationship between US Northern Command and Canada Command, the findings of the Bi-National Planning Group, NORAD renewal and trilateral military cooperation with

Mexico. In addition, recognizing the military's support role in homeland security and the increasing importance of interagency cooperation, the PJBD added DHS and PSEPC as members. The existence of the PJBD as a forum to consult, coordinate and share information on continental defense helped posture both the US and Canada deal with the dynamic new environment characterized by policy shifts, organizational changes and renewed planning efforts.

In 1946, the Military Co-operation Committee (MCC) was established to manage joint military planning between US and Canadian forces. The MCC is organized similar to the PJBD in that there are two sections (members overlap the two bodies) that meet every six months; however, the respective chairmen are military and report to the CJCS and CDS respectively. The PJBD and MCC are not tied but work closely together. Former US Co-chair of the PJBD Dwight Mason (2003, p. 138) describes the relationship, "the PJBD often will refer to matters to the MCC for study and suggestions, and the MCC regularly reviews issues before they come to the PJBD." However, reflecting the intermestic nature of the US-Canada defense relationship, the BDD (2006) gives the MCC a broader mandate than the PJBD, with its North American defense focus. It designates the MCC "as the primary strategic link between Canadian and US joint staffs for the purpose of considering issues and making recommendations on combined strategic military policy, plans, operations, and opportunities for enhanced military cooperation." It goes on to give the MCC responsibility to monitor issues "across the spectrum of military cooperation" as well as to promote service and operational-level command issues to senior leaders.

While not bi-national institutions, NORTHCOM and CANADA COM will need to cooperate extensively to meet their operational and planning responsibilities. NORTHCOM was established 1 October 2002 “to provide command and control of Department of Defense (DoD) homeland defense efforts and to coordinate defense support of civil authorities.” (United States Northern Command n.d.). Unlike other combatant commands, NORTHCOM was created primarily to address an internal threat, it was not a reflection of the US military relationship with Canada but it does affect it, in that NORTHCOM is also responsible for security cooperation with Canada. CANADA COM stood up in 2006 and is responsible for the conduct of all Canada’s domestic operations in addition to being the operational authority for the defense of Canada and North America. As stated above, these two homeland defense commands have exchanged liaison officers as well as being tasked to collaborate on the development of the CDP and CAP. The relationship is still in its embryonic stages, considering how recently CANADA COM became operational, but mission imperatives as well as guidance and oversight from the MCC and PJBD should foster a close working relationship.

Other less prominent organizations exist to manage some of the seemingly mundane but important facets of the defense relationship. For example, the North American Technology and Industrial Base Organization (NATIBO) includes representatives from all DoD services, Defense Logistics Agency, the Office of the Secretary of Defense (OSD), the Joint Staff, Canada’s DND and Public Works and Government Services Canada. The purpose of this organization is to promote a cost effective, healthy technology and industrial base in North America that is responsive to the national and economical security needs of the United States and Canada (North



American Technology and Industrial Base Organization 2006). Another example is the US/Canada Joint Certification Office which helps manage commercial research and development by certifying US or Canadian contractors who request access to unclassified technical data disclosing militarily critical technology with military or space application that is under the control of, or in the possession of DoD or DND (United States Defense Logistics Information Service 2007).

The DoD, by its nature hierarchical and command and control-oriented, has also established bureaucratic focal points responsible for managing defense cooperation across the globe. To conceptualize these loci in relation to transgovernmental and transnational networks, they act as a hub for all the spokes, holding them together and ensuring the wheel keeps moving in the right direction. The Undersecretary of Defense for Policy (USDP) in OSD is responsible for policy advice and support to the Secretary of Defense. Within USDP, US defense policy related to Canada until recently had been under the purview of the Assistant Secretary of Defense for International Security Affairs (ASD/ISA). However, under a recent organizational change, the Assistant Secretary of Defense for Homeland Defense, created by Congress in 2002, has now assumed the title of Assistant Secretary of Defense for Homeland Defense and Americas Security Affairs. One of his deputies is charged with defense policy as it relates to the Western Hemisphere while other deputies have responsibility for homeland defense, homeland security integration as well as support to civil authorities (United States Office of the Undersecretary of Defense for Policy, n.d.). The reorganization is intended to align USDP better with the combatant command structure as the State Department and National Security Council (Garamone 2006).

The Joint Staff's Deputy Director of Politico-Military Affairs (DDPMA) for Western Hemisphere works with OSD to establish the policies that guide defense cooperation with Canada. The DDPMA is also the CJCS point man in the interagency process, maintains close links with Service and CINC counterparts, develops military-to-military contacts with Canadian forces, and crafts advice for DoD leadership that is consistent with US policy and capabilities (United States Joint Chiefs of Staff, J5 n.d.). The DDPMA plays a key role in the bi-national institutions acting as the co-chair of the Military Cooperation Committee (MCC) and being responsible for coordinating the PJBD for the US section. The DDPMA is in an ideal position to see the military relationship as a whole, thereby being able to identify gaps, develop initiatives, address contentious issues, ensure the efficient use of resources and focus the efforts of the various agencies and networks.

Looking at the stories making headlines since 9/11, one could make the reasonable assumption that US-Canada defense relations were strained. The major issues are well-publicized: Canada's decision not to send combat troops to Iraq and how that decision was announced, Canada's mixed signals and eventual decision not to participate in ballistic missile defense (BMD), US creation of Northern Command (NORTHCOM) and the US' negative critique of Canada's defense spending and capability of its armed forces.

However, looking deeper provides a more complete picture. The US-Canada defense relationship is arguably as close as it has ever been. It has successfully weathered the political storms caused by the issues listed above and, more importantly, significant strides have been made in continental defense cooperation in spite of the

dramatic organizational changes taking place. Looking at the defense relationship as a system, it was well-postured to adapt to change in a deliberate, coordinated fashion given its sixty plus years of practice. The networks and mechanisms evolved only as necessary to meet the new challenges.

The PJBD has expanded its membership to include homeland security agencies as well as the new military commands and has included Mexican observers in some of its proceedings. The MCC was “revitalized” to address the intermestic nature of our military cooperation with Canada, discussing issues ranging from continental defense to the Afghanistan mission. The BPG conducted a comprehensive review of US-Canada military cooperation providing recommendations that provide a baseline by which the relationship can continue forward. The BPG’s work is also significant in that it reveals the importance of a periodic, deliberate assessment of the entire relationship to recalibrate as necessary. NORTHCOM and CANADA COM have begun to systemize their relationship as collaborators in the defense of North America. In response to new threats, NORAD adjusted its mission to provide coverage inside the continent. Accordingly, the NORAD Agreement was renewed in 2006 for perpetuity, expanding NORAD’s mission to include maritime warning.

There are challenges ahead. First, interoperability has always been a moving target, but rapid advances in technology have caused the target to accelerate dramatically. Technology permeates through the whole military enterprise; it enables more efficient and effective operations, planning, command control, intelligence, and logistics. US pressure on Canada to bolster the Canadian forces is less about the number of troops than about their capabilities in terms of equipment, weaponry and other technology. As

successful coalition navy operations have shown, “high-end”, interoperable allies are critical to mission accomplishment and quickly gain the trust and confidence of their US counterparts. If the interoperability gap widens dramatically, maintaining such a close cooperative and collaborative relationship will be problematic.

Second, NORAD’s functional role has been a topic of debate. The overarching issue is the balance between interoperability and integration. There appears to be a mutual commitment to cooperation across most military domains: land, sea, air and cyber; the question is how to command and control it. Some argued the 2006 renewal of the NORAD agreement was an opportunity to expand its mission into the land and sea domains, however, the renewal was minimalist in its expansion. The BPG (2006, p. 36-41) offered four feasible concepts to “institutionalize” cooperation in other domains, each with different degrees of integration. These include: 1) three commands with complementary missions, 2) a single command (NORAD+), 3) standing combined joint task force responsible to national commands, and 4) a continental joint interagency task force. While it appears the first concept is the most politically acceptable, at least for the foreseeable future, another dramatic event like 9/11 could increase pressure to create a different structure.

Finally, the relationship between homeland defense and homeland security is still in the formative stages and how it develops affects how the US and Canada cooperate across the domains. At least in legal terms, both countries approach domestic military operations differently, the US military being constrained somewhat by the 1878 Posse Comitatus Act prohibiting the direct use of federal military troops in domestic civilian law enforcement, except where authorized by the Constitution or acts of Congress.

Canadian forces are not under the same restrictions. However, support to civil authorities during a domestic emergency is an integral part of the US homeland defense strategy. Providing this support is complicated by varied expectations of state and local response organizations. Also, emergencies near or affecting both sides of the border could require military forces to deploy across the border. Aviation security and maritime security also require integrated efforts of the military services and security agencies. The goal of the US National Strategy for Maritime Security, for example, is to blend “public and private maritime security activities on a global scale into a comprehensive, integrated effort that addresses all maritime threats” requiring “full and complete national and international coordination, cooperation, and intelligence and information sharing among public and private entities.” (The White House 2005, p. 13). A global strategy puts competing pressures on Canada to defend its coastlines, which the Canadian Standing Senate Committee on National Security and Defence (2003) dubbed “the longest under-defended borders in the world,” as well as to cooperate with the US in international waters despite the budgetary reality that it cannot afford “two navies.” (Sokolsky 2005, p. 10).

Part of the issue deals with terminology. Prior to 9/11, “security” and “defense” were terms that could be used interchangeably with little or no argument or confusion. Continental defense and continental security were basically the same concepts with defense taking the lead. Now, “defense” and “security” have different meaning to different actors. As an example, during recent discussions on the future role of the PJBD, some military members were reluctant to expand deliberations into “security,” which appeared a bit short-sighted to other participants since the defense and security were so interrelated. However, the military members understood the distinct difference between

homeland security and homeland defense in terms of responsible bureaucracies.

Homeland defense—lead agency DoD-- includes protection of the United States against external threats and aggression while homeland security—lead agency DHS-- is the national effort to prevent attacks. The PJBD was created to focus on continental defense not on this new area of security; the invitation of homeland security agencies as members was an acknowledgement of the interrelationships, not an effort to interfere with DHS' area of responsibility. However, there also must have been the understanding that to take any responsibility for security was equivalent to opening Pandora's Box.

### **Security**

During the Cold War, NORAD and the US nuclear strike capability as deterrent were the lynchpins of continental security against the Soviet threat. In the immediate post-Cold war era, the threats were external-- rogue states, nuclear proliferation and humanitarian crises. On top of the North American agenda was not security but economic integration; in fact, the undefended border between the US and Canada was a source of pride because of the economic advantages it provided. Logically, initiatives to increase the movement of goods and services across borders lead to a corresponding concern for border security.

As Neil Macfarlane and Monica Serrano (2005) explain, this was not the case during the development of the NAFTA, primarily because the security environment did not call for it. While Canada, Mexico and the US became more integrated economically, "security would remain a Canadian-American business conducted in the wider Atlantic community." (p. 231). This began to change in the mid-1990's as officials began to face the reality that "as movement across the borders gathered apace, so the capacity of the

NAFTA countries to control and monitor their frontiers weakened; as integration deepened, so did the vulnerability to disruptions of trade and economic flows.”(p. 231).

In February 1995, President Clinton and Prime Minister Chrétien announced the Canada/US Accord on Its Shared Border which committed both governments to cooperate in facilitating trade and travel while adequately protecting the public (United States Embassy Ottawa 1995). A coordination committee consisting of the US Immigration and Naturalization Service (INS), Citizenship and Immigration Canada (CIC), the US Customs Service (USCS), the Canada Customs and Revenue Agency (CCRA), the US Department of State (DOS), and Department of Foreign Affairs and International Trade Canada (DFAIT) guided the implementation of initiatives under this accord. In 1999, President Clinton and Prime Minister Chrétien created the Canada-US Partnership Forum (CUSP) under the direction of the DOS and DFAIT to streamline and harmonize border management and policies as well as collaborate on common threats (United States Embassy Ottawa n.d.).

Therefore, border security cooperation was well in progress by 2000 when the situation gained public attention after U.S. border officials, acting on a tip from Canadian authorities, stopped Ahmed Ressam at the U.S.-Canadian border as he was attempting to smuggle explosives into the US. It was later discovered Ressam had planned to bomb the Los Angeles airport, and he had received training from Al-Qaeda in Afghanistan (CRS 2006, p. 14-15).

The attacks on 9/11 dramatically accelerated the process and politicized the issue. From Canada’s perspective, the US determination to secure the homeland intensified Canada’s traditional continental defense dilemma as echoed in Canada’s 2004 National

Security Policy, “Canada’s second national security interest, after protecting Canada and Canadians, is to ensure that Canada is not a base for threats to our allies.”(Office of the Prime Minister of Canada 2004, p. 5). This leaves Canada in the familiar position in which it must do enough to convince the US that it is not a security liability, while at the same time protecting itself from perceived incursions on sovereignty. However, as in defense, one can make a good argument that, in the end, Canada will almost certainly be consistent in its policy of maintaining close continental security cooperation with the US. David Haglund (2003, p682-685) describes Canada’s “inescapable duty to collaborate” on homeland security challenges pointing to several factors as to why this inescapable duty exists, the most compelling being the potential effects on Canada’s economy.

The most obvious and direct effect that security can have on the US and Canadian economy regards the degree that security measures slow down the movement of goods across the border. Any major disruption of these land crossings could have a severe effect on Canada; the US as a whole would not be affected to the same degree because of the relative size of its economy, though many states would be hit hard (In 2005, 38 states listed Canada as their leading export market (Government of Canada 2006)). For example, the cost of a four-hour delay at the Windsor-Detroit land crossing is estimated to be \$6 million and \$12.2 million to Canada and the US respectively. This projection grows to \$77.3 million and \$77.1 million if a shutdown were to disrupt trade for two days. At two weeks, the disruption would cause net economic losses of just over \$1 billion, a major portion of which would affect the auto industry (Standing Committee on National Security and Defence-Canada 2005, Chap 5).



Even if major disruptions are avoided, security measures add costs to doing business. Multiple studies have been conducted analyzing the additional costs in transportation, insurance, etc caused by increased security measures since 9/11 (Taylor, Robideaux & Jackson 2004, Tanguay & Therrien 2005). These extra costs have a tariff-like effect, negating the advantages fostered by NAFTA. US companies relying on Canadian businesses for parts or part of its manufacturing cycle may feel compelled to move their business within the United States because they fear the effects of a major, long-term border disruption as well as extra security measures.

Paul Celluci, US Ambassador to Canada 2001 to 2005, fuelled Canada's fears of a Fortress America with his public pronouncements that "security trumps trade." This truth, however, has not prevented the US from ardently pursuing an acceptable balance between security and prosperity. The US has also been consistent in its belief that close cooperation is the best means of achieving this balance. According to the US NSS, economic growth through free markets and free trade remains essential to achieving enduring security of the American people (White House 2006, p. 1). The US National Strategy for Homeland Security states, "we must therefore promote the efficient and reliable flow of people, goods, and services across borders, while preventing terrorists from using transportation conveyances or systems to deliver implements of destruction." (The White House, Office of Homeland Security 2002, p. viii). The strategy goes on to outline a national vision to combat terrorism based on international cooperation, including working with key trading partners and neighboring countries on verifying legitimacy of people and goods entering the US (The White House, Office of Homeland Security 2002, p. 60).

The thought processes may be different but the US and Canada have struck a grand strategic bargain related to two principles of homeland security: 1) a balance must be achieved between security and trade and 2) cooperation between the US and Canada is a necessity. For example, the Smart Border Declaration, signed in December 2001, commits both governments to collectively develop “a zone of confidence against terrorist activity” to include a “smart” border “that securely facilitates the free flow of people and commerce; a border that reflects the largest trading relationship in the world.” (United States Embassy Ottawa 2001). In addition, the Security and Prosperity Partnership for North America (SPP) is a trilateral effort between the US, Canada and Mexico intended to increase security, prosperity and quality of life based on the “principle that our security and prosperity are mutually dependent and complementary.” (The White House, Office of the Press Secretary 2005).

While the respective governments have provided the strategic guidance to cooperate, the webs of transgovernmental and transnational networks have been feverishly working out the details. To its credit, the Department of Homeland Security (2004) has laid out a strategic plan that promotes energizing these networks, reflecting their importance to the process:

Building new bridges to one another are as important as building new barriers against terrorism. We will collaborate and coordinate across traditional boundaries, both horizontally (between agencies) and vertically (among different levels of government). We will engage partners and stakeholders from federal, state, local, tribal and international governments, as well as the private sector and academia. We will work together to identify needs, provide service, share information and promote best practices. We will foster interconnected systems, rooted in the precepts of federalism that reinforce rather than duplicate individual efforts. Homeland security is a national effort, not solely a federal one (p.6).

The statement above also illustrates the degree of complexity inherent in the homeland security enterprise. To put this into context, while US-Canada defense cooperative activities are clustered within the respective defense departments with some spillover into other departments and private sector, the scope of homeland security cooperation is multidimensional involving a myriad of actors across the full spectrum of government as well as the private sector.

One major difference between defense and homeland security is the number of stakeholders at the federal-level making interagency coordination a major challenge. In October 2001, the President created a Homeland Security Council (HSC) chaired by the Assistant to the President for Homeland Security (commonly referred to as the Homeland Security Advisor) “to ensure coordination of all homeland security-related activities among executive departments and agencies and promote the effective development and implementation of all homeland security policies.”(The White House, Office of the Press Secretary 2001). Members include: the Secretary of the Treasury; the Secretary of Defense; the Attorney General; the Secretary of Health and Human Services; the Secretary of Transportation; the Director of the Office of Management and Budget. In 2002, DHS was created as the lead US agency for homeland security. It subsumed 22 organizations; today there are at least seven subunits including the Transportation Security Administration, Customs and Border Protection (CBP), Citizenship and Immigration Services, Federal Emergency Management Agency and the US Coast Guard. The Federal Bureau of Investigation (FBI), under the Department of Justice, also plays a significant law enforcement role in homeland security. In the National Infrastructure Protection Plan (NIPP), there are nine agencies assigned responsibility for protecting

certain critical infrastructure/key resource sectors such as agriculture and food or banking and finance. (United States Department of Homeland Security 2006, p. 3).

Adding Canada's homeland security agencies into the mix further complicates matters. PSEPC has five subunits two of which deal with corrections, the other three being the Canada Border Services Agency (CBSA), the Royal Canadian Mounted Police and, interestingly, the Canadian Security Intelligence Service. Unlike defense in which the services and joint-level organization align relatively well, the US and Canadian homeland security structures do not align as well.

One example can be found in the area of maritime security and the respective national Coast Guards. The mission of Canada's Coast Guard is maritime safety, protection of the marine and freshwater environment, facilitation of maritime trade and commerce and maritime accessibility, and support to maritime science (Department of Fisheries and Oceans-Canada n.d.). The US Coast Guard has similar missions in regards to the maritime domain, however, two other missions cannot be found in the Canadian Coast Guard's charter—maritime security and national defense (United States Coast Guard, n.d.). In terms of maritime security of coastal waters, the Canadian navy plays the lead role. However, when it comes to inland waters, which makes up a significant portion of the US-Canada border, the US Coast Guard with its armaments has to coordinate with the unarmed Canadian Coast Guard.

Another example is in the area of border security. The CBSA and US CBP are the respective lead agencies for coordinating the Smart Border Accord. At first glance, the two organizations seem comparable. The CBSA is responsible for inspections at the point of entry (POE) and their mission includes detaining people who may pose a threat

to Canada, removing people who are inadmissible to Canada, including those involved in terrorism, organized crime and war crimes or crimes against humanity, and interdicting illegal goods entering or leaving the country (Canada Border Services Agency 2006). The top priority of the CBP is to keep terrorists and their weapons from entering the United States. It also enforces US laws as they relate to cross border movement of people and prevents narcotics, agricultural pests and smuggled goods from entering the country (United States Customs and Border Patrol 2006).

However, the professional cultures are different. CBP agents carry sidearms; the arming of CBSA officers has been a subject of debate. Until recently, CBSA officers at land border crossings were equipped with batons and pepper spray and it was the position of the government that customs officers can do their job without firearms, because “the presence of firearms has the potential to incite violence on the part of travelers.”(Canada Border Services Agency 1999). In August 2006, the Prime Minister decided that CBSA officers will carry side arms; however, implementation will take at least 10 years (Office of the Prime Minister 2006). This debate is indicative of the different security cultures in the US and Canada. After hearings on the border in 2005, Canada’s Senate Committee on National Security and Defence (2005) concluded that despite mission statements to the contrary, “security still ranks second to revenue gathering at Canada-U.S. land border crossings. The Committee has seen little evidence that a stronger security culture has taken root.” Just spending several minutes comparing respective web sites brings into focus how different the professional cultures are.

There are also differences in overall mission. The CBP makes a distinction between *at* and *between* the POE with: 1) CBP agents responsible for inspections *at* the

POE and 2) US Border Patrol (USBP) responsible for detect and prevent the entry of terrorists, weapons of mass destruction, and unauthorized aliens into the country, and to interdict drug smugglers and other criminals *between* official POE. (Congressional Research Service 2005, p. 1). The USBP also includes air and maritime units (touted as the largest law enforcement air force in the world) (United States Customs and Border Protection 2006, “CBP Office of Air and Marine Contributes to Border Security in FY06”) as well as Border Patrol Tactical (BORTAC) Unit trained for high risk and difficult missions such as tracking terrorists and smugglers, quelling riots and restoring order in natural disasters. In addition, the number of border patrol agents along the northern border has nearly tripled in the past five years. To complicate matters further on the US-side, ICE and the Coast Guard also have law enforcement roles and responsibilities that relate to the border. In Canada, the RCMP with a more general law-enforcement focus is responsible for between the POE. The solution has been the establishment of over twenty Integrated Border Enforcement Teams (IBETS), which ensure intelligence is developed and shared among all the major agencies involved in border security *between* the POE to include the RCMP, CBSA, CBP/USBP, ICE and US Coast Guard (Royal Canadian Mounted Police 2006).

The attacks on 9/11 also prompted state, local and tribal governments to get involved in homeland security efforts. According to the National Conference of State Legislatures (2005), all 50 states have taken some sort of action in the form of passing new legislation and creating state offices of homeland security or commissions. State and local law enforcement agencies also participate in federal initiatives such as the Department of Justice’s Anti-Terrorism Advisory Councils (ATACs), headed by US

attorneys, at each of the 93 attorney districts across the US. The ATAC structure is comprised of approximately 5,300 state and local law enforcement agencies that have joined with federal law enforcement organizations in the war on terrorism and is responsible coordinating anti-terrorism initiatives, initiating training programs and facilitating information sharing (United States Department of Justice 2003). ATACs in states along the northern border encourage Canadian participation. In Vermont, for example, Canadian partner agencies include the Canadian Security Intelligence Service, RCMP and the provincial Surete du Quebec (United States Attorney Office, District of Vermont n.d.).

The effects of security measures on trade have also energized many of the cross-border organizations described earlier to expand their scope and address security. These cross-border organizations form coalitions that compete for resources, such as infrastructure improvement or installation of new technologies, as well as lobby their government leaders for/against specific policies that affect the movement of goods and people across the border such as the Western Hemisphere Travel Initiative. For example, the International Mobility and Trade Corridor (IMTC) is a US-Canadian coalition of over 60 government and business agencies that identifies and promotes improvements to mobility and security for the Cascade Gateway which consists of four border crossings between Washington and British Columbia. The IMTC advertises that it has helped secure \$12 million from federal, state and local funding sources since 1997 (Whatcom Council of Governments n.d.). Another example is the Quebec-New York Corridor Coalition which links more than 2000 chambers of commerce, economic developers,

businesses, government agencies, universities and other interests throughout the bi-national “corridor” (Quebec-New York Corridor n.d.).

Cross-border organizations and multiple levels of government also play a role in emergency preparedness. All levels of government have developed plans and conducted exercises, many with international participation. For example, the congressionally-mandated Top Officials (TOPOFF) Exercise Series designed to test the governments reaction to a WMD threat has included federal, state and local agencies as well as Canadian participation through its TRIPLE PLAY exercise involving top federal and provincial leaders (United States Department of Homeland Security 2006, “TOPOFF 3 Exercising National Preparedness,”). In addition to its working groups on border management and maritime security, PNWER (n.d., “PNWER Working Groups”) has a homeland security working group that has sponsored a series of table-top exercises named Blue Cascade, the latest which dealt with pandemic preparedness.

A good illustration of the interworkings of transgovernmental and transnational actors towards a national objective can be found in the area of critical infrastructure protection. DHS (2006) and PSEPC (2004) have both outlined strategies designating lead agencies for specific resource sectors but also delegate responsibilities to multiple stakeholders (federal agencies, regional and local governments, private owners/operators). In the energy sector, the US Department of Energy (DOE) and Natural Resources Canada (NRCan) are their respective government’s lead agencies. In the energy sector, as in other areas, critical infrastructure crosses jurisdictions which may include international boundaries; there is also concern about the cascading effect of a potential disruption into other resource sectors. Case in point is the August 2003



blackout which left 50 million people in New York and Toronto without power for up to two days. The blackout also affected communications, health care, and finance all which rely on electricity to function at an optimal-level (Public Safety and Emergency Preparedness Canada 2004, p. 9). Even before this event, DOE had designated the North American Electric Reliability Corporation (NERC), a private organization, as the electricity sector coordinator for critical infrastructure protection. NERC, established in 1968, is composed of eight regional reliability councils, three of which have US and Canadian members. In addition, the NERC's Critical Infrastructure Protection Committee which manages policy matters regarding physical security, cyber security and security operations, also has US and Canadian representation (North American Electric Reliability Corporation, n.d.).

The example above is just one area of a key resource sector of which there are 17 designated in the NIPP (United States Department of Homeland Security 2006, p. 3), each with varying degrees of cross-jurisdiction interests and responsibilities. Therefore, management of these networks which are sprouting to address the multitude of perceived vulnerabilities is a daunting task. The fact these networks are at work is a very positive sign but to maximize their efficiency and effectiveness across the board it is necessary to ensure the appropriate information is being shared vertically and horizontally, gaps and seams are identified and addressed, and funding is reasonably prioritized.

Numerous new initiatives are being developed to improve homeland security efforts across the board, creating interoperability challenges similar to defense as well as stimulating additional networks that focus on security technology. Many of these initiatives come under the SPP, expanding on previous arrangements such as the 2001

Smart Border Action Plan. Some examples are: 1) the US CBP's Customs-Trade Partnership Against Terrorism (C-TPAT) and CBSA's Partners in Protection Program which are supply-chain initiatives in which companies can gain pre-clearance for goods that have been undergone certain compliance measures; 2) Free and Secure Trade (FAST) which provides for dedicated inspection lanes for goods by approved shippers, pre-cleared goods (C-TPAT), or pre-authorized drivers and carriers; 3) NEXUS which expedites movement of frequent travelers who have gone through security checks in both Canada and the US; and 4) the US Container Security Initiative (CSI) which is designed to pre-screen high-risk containers at their ports of embarkation overseas. (Congressional Research Service 2006, p. 24-25). A whole homeland security technology industry is blossoming to support and profit from the national and international effort to counter and minimize security vulnerabilities.

Since homeland security had not been a priority prior to 9/11, planning to address these vulnerabilities was limited at best. This quickly changed after 9/11 resulting in a mushrooming of directives, strategies, and plans that had to be developed quickly, many potentially affecting our cooperation with Canada. These strategies promote international coordination and cooperation but do not provide specifics, leaving the detailed coordination to those executing the plans. The National Infrastructure Protection Plan (NIPP), the National Strategy for Maritime Security (NSMS), the National Border Patrol Strategy and Homeland Security Presidential Directive (HSPD)-10 Bio-Defense for the 21<sup>st</sup> Century are several examples. These strategies and plans have been developed by multiple departments and, in turn, multiple departments and government agencies have responsibilities specified within them. For example, the NSMS has eight supporting

plans dealing with the maritime domain which includes the Great Lakes and all inland navigable waterways in the US (The White House 2005, p. 1). The challenge that presents itself is to ensure the appropriate consultation, coordination and cooperation with Canada as these strategies and plans are executed and as they are reviewed and rewritten, a planning prerequisite for keeping pace with the dynamic homeland security environment.

A national-level structure for orchestrating the US-Canada security relationship is not as robust as seen in the defense relationship. This is understandable considering the sixty year head start in defense as well as the fact that the priority in the US has been setting up the organizational architecture to execute the homeland security strategy and quickly developing plans and procedures to cover vulnerabilities. However, security cooperation has prompted the development of some bilateral mechanisms to guide the relationship.

Strategic guidance related to US-Canada security cooperation is dispersed across signed agreements, official press releases and speeches and the protocols guiding specific homeland security initiatives. It is interesting to note that new treaties in force based on the events of 9/11 are limited; in fact, the only new bilateral agreement listed by the Department of State which can be considered a direct result of 9/11 is the 2004 agreement to cooperate in examining refugee status claims from nationals of third countries, called the Safe Third Country Agreement (United States Department of State 2006, p. 51). However, two agreements do stand out in providing direction to the actors involved in the cooperative endeavors with Canada. First, in December 2001, DHS Secretary Ridge and Canadian Deputy Prime Minister Manley announced the Smart

Border Action Plan which included 30 (now 32) points guiding Canada-US cooperation “aimed at strengthening bilateral cooperation to enhance security while also facilitating legitimate travel and commerce between the United States and Canada.”(United States Embassy Ottawa 2004). The title “smart border” implies actions focused solely on border security, however, the 32 points deal with issues across the homeland security spectrum to include critical infrastructure protection, counterterrorism legislation and freezing of terrorist assets. Second, in March 2005, the leaders of the US, Mexico and Canada announced the establishment of the Security and Prosperity Partnership (SPP) of North America. The SPP has been described as “NAFTA-plus” since it continues along the path of a common approach to improving prosperity, but it also adds the security element which was lacking in the original NAFTA. In terms of security, the intent is to develop “a common approach to security” protecting North America from both external and internal threats as well as streamlining “the secure and efficient movement” of traffic across the borders (White House, Office of the Press Secretary 2005). The security agenda outlines ten areas of trilateral cooperation, to include provisions directing the development and implementation of specific strategies related to maritime security, aviation security, bioprotection, border facilitation, combating transnational threats, traveler security and cargo security (Security and Prosperity Partnership of North America 2005).

The institutions that have been established to manage cooperation are stove piped, focused on specific areas of cooperation or regional issues as in the case of the cross-border organizations outlined above. For example, the Department of Transportation’s Federal Highway Administration has created the bi-national US-Canada Transportation

Border Working Group (TBWG) (2006) to cooperate on addressing the challenges of improving mobility and security at land border crossings. In the area of critical infrastructure protection, the US and Canada established a bi-national steering committee that meets semi-annually and includes eight working groups to address sectoral and horizontal issues. (*Smart Border Action Plan Status Report* 2003, p. 9-10). Quarterly meetings take place between the CBSA and CBP commissioners to discuss border security. In addition, trilateral working groups have also been established under the auspices of the SPP to deal with specific issue areas. These coordinating bodies reflect not only the technical nature of the security relationship.

It appears that strategic coordination and consultation is accomplished primarily through senior-level contacts rather than bi-national institutions. DHS Secretary Ridge and Deputy Prime Minister Manley are credited for personally spearheading security cooperation during the aftermath of 9/11, expediting the coordination of the Smart Border Declaration which was signed only three months later. During the next few years, both met regularly to gauge progress on the action plan; Ridge continued meeting with Manley's successor until his resignation in 2005. The trend has continued with as DHS Secretary Michael Chertoff and Minister of Public Safety Stockwell Day meeting as recently as 17 January 2007. Secretary of State Condoleezza Rice and Canadian Foreign Affairs Minister Peter MacKay have also established a close working relationship, holding bilateral meetings in Washington in April 2006 and in Canada on September 11, 2006. Presidential involvement has ensured continued senior-level focus on North American security. The leaders of the US, Canada and Mexico met for an annual update of SPP progress in March 2006 and will meet again in February 2007. Consistent

personal involvement by senior leaders across government provides a powerful mechanism for consultation and coordination. As observed by Joseph Jockel (1985, p. 697) when the Secretary of State regularly met with the Foreign Affairs Minister in the 1980s, senior level participation didn't replace the process of issue resolution at the working-level but rather reinforced it by: 1) reassuring both parties that issues are in fact being addressed and 2) injecting a sense of urgency.

DHS also has bureaucratic loci to help orchestrate the relationship from the US side. The Assistant Secretary of International Affairs engages allies, particularly Canada, Mexico and the United Kingdom, in guiding security agreements that support homeland security efforts and improve immigration policy, visa security, aviation security, border security and training, law enforcement, and cargo security (DHS, n.d.). In addition, DHS has a homeland security attaché office in the US Embassy in Ottawa. The challenge DHS faces, however, is guiding the organizations described above in which they are not a member. In these cases, as stated in their strategic guidance, DHS relies on and encourages the disparate networks to do the heavy-lifting; its focus is to stimulate and maintain awareness of the activities. In this regard, DHS has been very proactive. DHS personnel are involved as participants or observers in many federal, state and local exercises, participate in the ATACs set up by DOJ, and attend meetings held by cross-border organizations. In many cases, local and regional agencies and technical experts are in the best position to effectively address security issues based on a better understanding of the environment.

The development of US-Canada security cooperation has been remarkable in light of the dramatic changes which have occurred over the past five years. However, several

major issues remain that deal with the strategic direction of the security cooperation rather than the technical details.

One issue is the prioritization of what the US and Canada are securing themselves against. The two nations are in agreement that terrorism is a major threat; however where terrorism fits within the threat matrix is in question. While Americans are justifiably preoccupied with the potential for terrorist attacks, Frank Graves (2005) explains that for most Canadians risk does not equal terrorism to the degree it does in the US, in fact, the emphasis on the risk of terrorism is fairly small and declining, “security and risk are highly multidimensional and terrorist risks are a relatively modest part of the overall threat hierarchy.”(p.12). Canada’s National Security Policy (NSP) (Office of the Prime Minister 2004) seems to echo this, stating “the world is a dangerous place, even if the relative safety of life in Canada sometimes obscures how dangerous it is....there is a wide range of threats facing Canada from pandemics to terrorism.”(p. 6). Graves (2005) argues that Canada’s reorganization of its homeland security apparatus after 9/11 “owes at least as much to concerns for the protection of Canada’s economic security- and the need for relatively free and open access to US markets-as to shared concerns over current and prospective threats to national security.”(p. 33). Another economic aspect of the issue deals with federal budgets. If the public perceives the threat of terrorism as low, than it is difficult to convince them that massive funding is required to counter it. Other budget priorities should take precedence.

The US is very clear on what it feels is the priority, opening the NSS (White House, 2006, p. i.) with “America is at war. This is a wartime national security strategy required by the grave challenge we face—the rise of terrorism fueled by an aggressive

ideology of hatred and murder.” What is not so clear from the US perspective is the prospect for a continued commitment to a strategy that emphasizes the “away” game in the fight against terrorism, which at times may come at the expense of resourcing security efforts focused on the continent.

A second issue is to agree on what Canada and the US are securing. Within this two sub-issues arise: 1) security regulation versus security community and 2) the geographic extent of continental security, should the relationship be trilateral, to include Mexico.

Since 9/11, there have been several “big ideas” floated which call for a North American security community. The idea of a security community espouses the idea of a security perimeter in which nations would adopt common security measures regarding movement of goods and people into the perimeter, thereby allowing free movement within as the concerned nations could be confident that the goods and people had been screened according to agreed upon standards. Proponents point out that security community best addresses and balances the realities and advantages of economic integration and the requirements of the new security environment.

The idea of a North American security community, which virtually eliminates the border, has not gained traction. Canadian and US security experts Joel Sokolsky and Philippe Lagasse (2002, p. 15) believe the commitment by the US, Canada and Mexico to a perimeter solution is questionable, adding that “While all three governments recognize that collaboration is a necessity, the reality is that the three neighbors view the continental security problem from different, at times divergent perspectives.” A report by



Canada's Senate Committee on National Security and Defence (2006) supports this conclusion:

The Committee supports the idea of a continental security perimeter, *but* moving beyond that to a European-style customs union would virtually eliminate the U.S.-Canada border. We need the border, partially for security reasons. The land border and its crossings provide us with natural chokepoints that work to protect both Canada and the United States. The border itself is a necessary separation of two discrete societies; and border crossings are valuable for monitoring the movement of people and goods between those societies to ensure that only legitimate people and goods pass back and forth. The Committee believes that an essentially borderless North America would undermine Canadian security. (Chap 2)

The US also appears settled on the idea of a security perimeter which reinforces rather than eliminates the border. The US outlines a layered defense strategy in Strategy for Homeland Defense and Civil Support; Canada is part of the second layer defined as the immediate approaches to the homeland. Sokolsky and Lagasse (2005/2006, p. 20) conclude, "To the US, a continental security perimeter serves to guard the approaches to the American homeland, not to stretch the third layer of defence to include all of North America." In the end, US will always reserve right to close borders if it feels threatened and no amount of integration or common security arrangements can change that.

While the US and Canada appear to converge, at least for now, on the idea of a security perimeter, they diverge a bit when the question of Mexico comes up. To the US, Mexico is a key component of the continental security equation, because of the border that US and Mexico share but also because it aligns well with NAFTA. Canada is not warm to the idea of including Mexico in its security arrangements for the US because it does not want to get lumped into the problematic nature of the US-Mexico border and it does not want to "dilute" its special bilateral relationship with the United States. George

Haynal (2002, p. 87), former Assistant Deputy Minister for the Americas, Foreign Affairs and International Trade Canada (DFAIT) states “adding a Mexican dimension (with the need to bridge wider systemic differences) is still seen as complicating the task” .....a good approach may be to open successful bilateral relationships to a third country when feasible.

The SPP addresses this issue, indicating a compromise. The joint statement announcing the SPP includes, “the partnership is trilateral in concept; while allowing any two countries to move forward on an issue, it will create a path for the third to join later.”(Haynal 2002, p. 87). The issue, however, is far from resolved; it raises questions as to the future of North American economic integration. Academics Monica Serrano and Neil MacFarlane (2005) explain the dilemma:

A common investment in security might have been expected to have deepened relations between the NAFTA three into a genuine communality which could compensate for losses of identity. This is indeed the road which Canada appears to have taken with the US. In the process, though, Canada has also marked a distance from Mexico. *If* US-Canada security relations can now be conceived of in terms of a security community- a question which is still open-it is a community which excludes the third member of NAFTA. In a way that was unimaginable when NAFTA was passed, not only is the community to which it has given rise a community now significantly defined in terms of security; but one of the NAFTA three is at best an uncertain ally, at worst a threat to that community (p. 230).

Technical experts and governmental sub-units are not well-postured to address these strategic concerns. Other areas will also require strategic-level coordination and consultation beyond agreeing on specific initiatives. For example, the Arar Case in which the US sent a Canadian citizen to Syria for interrogation based initially on Canadian intelligence complicates the issue of intelligence-sharing beyond the obligation

to protect sources and methods. There is now concern about the legitimacy of actions taken in light of the intelligence, a slippery slope that could hinder intelligence cooperation. Another example is the threat of border incidents. Since the border is no longer “undefended,” the possibility of a cross-border incident or accidental firing has increased. Continued consultation will not only increase mutual confidence and trust but provide mechanisms for consequence management. Finally, as discussed earlier, the roles and missions of military units in homeland security operations will require close coordination and cooperation between both countries.

### **Way Ahead**

**There is no a priori reason why we  
should expect the truth, when found, to be dramatic  
CI Lewis (cited in Berlin, 1937)**

The manner and speed in which the homeland security establishments in the US and Canada have created linkages and worked together in addressing mutual issues is impressive. However, the relationship will likely continue to grow in the coming years, putting a premium on close consultation and coordination. In light of this and the challenges listed above, there are two options which could help ensure coherent and consistent cooperative activities over the long term.

First, the work of the BPG highlighted the importance of cooperative planning, to include the periodic review and update of plans and agreements to ensure their continued suitability, acceptability, and feasibility. A bi-national homeland security planning group should be established to oversee the continued proliferation of plans and agreements applicable to both countries. In addition to reviewing and managing the periodic update of existing bilateral plans, this planning group can identify gaps and direct the

development of new plans to address vulnerabilities. It can also support state and provincial government planning efforts by validating assumptions as they relate to national agencies and resources, hopefully, preventing another Katrina-like situation where national and state planning assumptions were not synchronized.

Second, the US and Canada could agree to replace the PJBD with a similar bi-national institution designed to address homeland security issues, to include homeland defense's role. The concept of a consultative body with equal representation dealing with continental security issues would stay the same; however, some structural changes would be advantageous. To assist the respective chairperson with the expanded mission, two deputy chairpersons should be appointed, one an expert in defense matters, the other in security. These experts would give the chairs experts to consult with outside the stakeholder bureaucracies. Like the IJC, the secretariat should be a permanent bi-national group of several individuals to assist the chairs, set the agenda, arrange the meetings, and draft the recommendations all in close coordination with the stakeholders. This would also give the chairs more independence in deciding the issues to be addressed and the final recommendations. On the US side, members would include, at a minimum, DHS, DoD, DoS and DOJ; other participants could be added as necessary. The chairs should also be free to set up working groups on cross-cutting issues such as intelligence sharing or security cooperation for major events such as the Vancouver Winter Olympics in 2010. On the US side, the chair should be appointed by and report to the Homeland Security Advisor who is responsible for interagency coordination. The Homeland Security Advisor could then address recommendations through the Homeland Security Council, only raising critical issue to the President.

This new body would “institutionalize” bilateral, strategic-level interagency coordination, both vertically and horizontally across the homeland security spectrum. Replacing and mirroring the PJBD should help alleviate criticism of increased political integration as well as potential concerns from Mexico that the new body is not trilateral. It would also help the integration of homeland defense and homeland security, ensuring consultation on expectations and coordination on initiatives that affect either area. Additionally, it will be in a position to identify gaps and vulnerabilities, set priorities as well as determine best practices all of which can help guide security cooperation.

This paper has argued several truths about the US-Canada relationship. First, in terms of homeland security, a strategic bargain has already been struck between the two countries which can only help promote North American security. The pattern has been evident before in trade and defense. It starts with both countries agreeing on the overarching principle, for example free trade or mutual defense cooperation. Then, the transgovernmental and transnational networks take over, mushrooming quickly, and creating the linkages and orchestrating mechanisms to ensure continued progress to the benefit of both nations. The US-Canada homeland security cooperative endeavor has followed this pattern to date. Second, in response to those who believe the US is neglectful of Canada, this paper has shown that there are government structures and officials whose primary mission is to manage the US relationship with Canada. The issues may not be on the President’s radar, but this does not mean they are not important or not being addressed. Finally, the relationship has been strong and resilient, especially since 9/11 which presented unprecedented challenges. The future of the US-Canada relationship is bright.

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